

STATE OF FLORIDA

IN THE TWELFTH JUDICIAL
CIRCUIT COURT, IN AND FOR
SARASOTA COUNTY

-VS-

CASE NUMBER 2012CF016855NC

ROBERT WAECHTER

Defendant

DC NUMBER 734487

Local Jurisdiction Identification Number:

2ND CORRECTED *

ORDER OF COMMUNITY CONTROL/PROBATION

*2nd Corrected to reflect entered a plea of guilty

This cause coming before the Court to be heard, and you, the defendant, being now present before the court, and you having

☒ entered a plea of guilty to

Count 1: ELECTION LAWS-SECOND OR
SUBSEQUENT

SECTION 2: ORDER WITHHOLDING ADJUDICATION

☒ Now, therefore, it is ordered and adjudged that the adjudication of guilt is hereby withheld and that you be placed on Community Control for a period of THREE (3) MONTHS FOLLOWED BY TWO (2) YEARS PROBATION under the supervision of the Department of Corrections, subject to Florida law.

IT IS FURTHER ORDERED that you shall comply with the following standard conditions of supervision as provided by Florida law:

- (1) You will report to the probation officer as directed.
- (2) You will pay the State of Florida the amount of \$50.00 per month, as well as 4% surcharge, toward the cost of your supervision in accordance with s. 948.09, F.S., unless otherwise exempted in compliance with Florida Statutes.
- (3) You will remain in a specified place. You will not change your residence or employment or leave the county of your residence without first procuring the consent of your officer.
- (4) You will not possess, carry or own any firearm. You will not possess, carry, or own any weapon without first procuring the consent of your officer.
- (5) You will live without violating any law. A conviction in a court of law is not necessary for such a violation of law to constitute a violation of your probation, community control, or any other form of court ordered supervision.
- (6) You will not associate with any person engaged in any criminal activity.
- (7) You will not use intoxicants to excess or possess any drugs or narcotics unless prescribed by a physician. Nor will you visit places where intoxicants, drugs or other dangerous substances are unlawfully sold, dispensed or used.
- (8) You will work diligently at a lawful occupation, advise your employer of your probation status, and support any dependents to the best of your ability, as directed by your officer.
- (9) You will promptly and truthfully answer all inquiries directed to you by the court or the officer, and allow your officer to visit in your home, at your employment site or elsewhere, and you will comply with all instructions your officer may give you.

- (10) You will pay restitution, court costs, and/or fees in accordance with special conditions imposed or in accordance with the attached orders.
- (11) You will submit to random testing as directed by your officer or the professional staff of the treatment center where you are receiving treatment to determine the presence or use of alcohol or controlled substances.
- (12) You will submit a DNA sample, as directed by your officer, for DNA analysis as prescribed in ss. 943.325 and 948.014, F.S.
- (13) You will submit to the taking of a digitized photograph by the department. This photograph may be displayed on the department's website while you are on supervision, unless exempt from disclosure due to requirements of s. 119.07, F.S.
- (14) You will report in person within 72 hours of your release from incarceration to the probation office in Sarasota County, Florida, unless otherwise instructed by the court or department. (This condition applies only if section 3 on the previous page is checked.) Otherwise, you must report immediately to the probation office located at 658 South Tamiami Trail, Osprey, Florida 34229, (941) 918-2780.

SPECIAL CONDITIONS

- ☒ 8. You will successfully complete 100 hours of community service at a rate of _____, at a work site approved by your officer.
Additional instructions ordered: _____

AND, IF PLACED ON COMMUNITY CONTROL, YOU WILL COMPLY WITH THE FOLLOWING CONDITIONS, IN ADDITION TO THE STANDARD CONDITIONS LISTED ABOVE AND ANY OTHER SPECIAL CONDITIONS ORDERED BY THE COURT:

- (15) You will report to your officer as directed, at least one time a week, unless you have written consent otherwise.
- (16) You will remain confined to your approved residence except for one half hour before and after your approved employment, public service work, or any other special activities approved by your officer.
- (17) You will maintain an hourly accounting of all your activities on a daily log, which you will submit to your officer on request.
- (18) You will successfully complete _____ hours of community service at a rate of _____, at a work site approved by your officer.
Additional instructions ordered: _____
- ☐ (19) You will submit to electronic monitoring, follow the rules of electronic monitoring, and pay \$_____ per month for the cost of the electronic monitoring service.

YOU ARE HEREBY PLACED ON NOTICE that the court may at any time rescind or modify any of the conditions of your probation, or may extend the period of probation as authorized by law, or may discharge you from further supervision. If you violate any of the conditions of your probation, you may be arrested and the court may revoke your probation, adjudicate you guilty if adjudication of guilt was withheld, and impose any sentence that it might have imposed before placing you on probation or require you to serve the balance of the sentence.

IT IS FURTHER ORDERED that when you have been instructed as to the conditions of probation, you shall be released from custody if you are in custody, and if you are at liberty on bond, the sureties thereon shall stand discharged from liability. (This paragraph applies only if section 1 or section 2 is checked.)

IT IS FURTHER ORDERED that you pay the following charges/costs/fees if checked:

CHECK ALL THAT ARE ORDERED:

FINES

- ☒ \$5000.00 **Total of fines assessed** in sentence, pursuant to s. 775.083 (1)(a) through (g) or Chapter 316, F.S.
- ☒ \$250.00 Statutorily mandated 5% surcharge/cost if fine assessed (on first line) pursuant to s. 938.04, F.S.
- ☒ \$100.00 **Prosecution Costs**, pursuant to s. 938.27, F.S. (Minimum of \$100 Felony/\$50 Misdemeanor)
- ☒ \$2,000.00 **Investigative Costs to Sarasota Sheriff's Office**, pursuant to s. 938.27, F.S. (if applicable and requested)

DISCRETIONARY

☒ Other: \$118.00 Court Costs.

TOTAL AMOUNT OF COURT COSTS ORDERED = \$7,768.00

OTHER OBLIGATIONS IMPOSED

☒ \$ 2.00 Per month for each month of supervision for **Training Trust Fund Surcharge**, pursuant to s. 948.09, F.S.

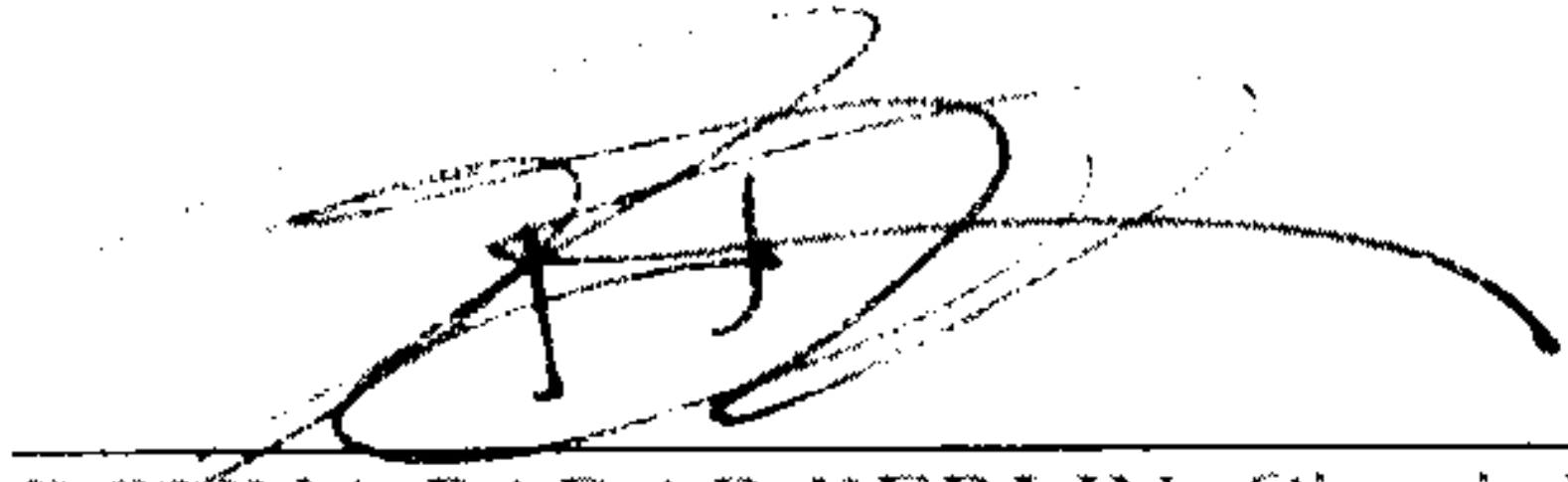
Payments processed through the Department of Corrections will be assessed a 4% surcharge pursuant to s. 945.31, F.S.

SPECIFIC INSTRUCTIONS FOR PAYMENT: \$7,768.00

IT IS FURTHER ORDERED that the clerk of this court file this order in the clerk's office and provide certified copies of same to the officer for use in compliance with the requirements of law.

DONE AND ORDERED, on 12th DAY OF DECEMBER, A.D. 2013

NUNC PRO TUNC 


DONNA PADAR BERLIN, Circuit Judge 2-13-14

I acknowledge receipt of a copy of this order and that the conditions have been explained to me and I agree to abide by them.

Date: _____

Defendant

Instructed by: _____
ROBB KAPINSKI, CPSO Supervising Officer

RK/mn